

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

DANIEL HATTEN (K9677)

PLAINTIFF

v.

No. 4:20CV107-DAS

**WARDEN LEE SIMON
WARDEN TIMOTHY MORRIS
SUPERINTENDENT MARSHALL TURNER
COMMISSIONER PELICIA HALL
ARP DIRECTOR RICHARD PENNINGTON
MDOC**

DEFENDANTS

JUDGMENT

In accordance with the memorandum opinion entered this day, the plaintiff's claims regarding failure to protect him from attack by another inmate is **DISMISSED** with prejudice for failure to state a claim upon which relief could be granted. In addition, defendant Richard Pennington is **DISMISSED** from this case for failure to state a claim against him upon which relief could be granted. The plaintiff's claims regarding the general conditions of his confinement against Warden Lee Simon, Warden Timothy Morris, Superintendent Marshal Turner, Commissioner Pelicia Hall, and the MDOC will, however, **PROCEED**.

SO ORDERED, this, the 22nd day of February, 2021.

/s/ David A. Sanders

DAVID A. SANDERS

UNITED STATES MAGISTRATE JUDGE